

November 30, 2004

Hon. Mark L. Wolf  
U.S. Courthouse  
One Courthouse Way, Room 5110  
Boston, MA 02210

RE: United States vs. Frederick A. Simone  
No. 03-CR-10356-MLW

Dear Judge Wolf:

In accordance with the Order of this Court please note that at this time it does not appear as though the above captioned matter will be resolved by way of a change of plea. The defendant, Simone, has a scheduled trial date of January 24<sup>th</sup> in Middlesex Superior Court and all attempts to resolve that case have been withdrawn by the Attorney General's Office. The defendant maintains open communication with the federal prosecutors but at this time there is no anticipated change of plea contemplated.

Respectfully submitted,

/s/ Kevin J. Reddington  
Attorney for Frederick Simone

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cc: Ernest S. DiNisco, Assistant U.S. Attorney